

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

MEMORANDUM AND ORDER

This matter is before the Court on defendant's motion for partial summary judgment (#41). The motion explicitly states that it is contingent on the Court's granting defendant's motion to exclude plaintiff's expert from testifying. The Court has denied defendant's motion to exclude plaintiff's expert from testifying. As a result, the motion for summary judgment will be denied.

Accordingly,

IT IS HEREBY ORDERED that defendant Dolgencorp's motion for summary judgment (#41) is **DENIED**.

So ordered this 23rd day of May, 2019.

Stephen N. Limbaugh, Jr.
STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE